

UNITED STATES COURT OF APPEALS

DEC 5 1997

TENTH CIRCUIT

PATRICK FISHER
Clerk

DANIEL R. BRUCE,

Plaintiff-Appellant,

v.

WILLIAM PERRILL, Warden, FCI-
Englewood, Federal Bureau of
Prisons; ANGELA SHENK, Inmate
Records Mgr; HARRY SINGLE-
TARY, Secretary, Florida Dept. of
Corrections; D. DUFER; DON
HUNTER; TRANSCOR AMERICA
INC., a Tennessee Corporation,
Extradition Agent,

Defendants-Appellees.

No. 97-1118
(D.C. No. 96-S-1441)
(Colorado)

ORDER AND JUDGMENT*

Before **SEYMOUR**, Chief Judge, **PORFILIO** and **MURPHY**, Circuit Judges.

*This order and judgment is not binding precedent, except under the doctrines of law of the case, res judicata, or collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

After examining the briefs and appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9. The cause is therefore ordered submitted without oral argument.

Plaintiff Daniel R. Bruce appeals the dismissal without prejudice of his civil rights complaint. We have reviewed the record, the relevant authorities, and plaintiff's arguments on appeal, and we are persuaded that the district court did not err in dismissing the case.

We **AFFIRM** the judgment of the district court substantially for the reasons stated in the court's Order of Dismissal.

ENTERED FOR THE COURT

Stephanie K. Seymour
Chief Judge